

DATE: July 23, 2008

For: Volume VII Distribution
Service Program Manual, Volume VII, Section III, Chapter D

Transmittal #218

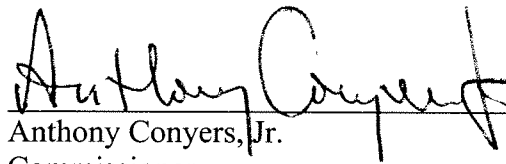
The purpose of this transmittal is to incorporate legislative changes made by the 2008 General Assembly and to update existing information in Volume VII, Section III, Chapter D, Adoption Non-Agency Placement and Other Court Services. The changes were effective July 1, 2008.

In addition to the substantive changes, there are changes in language, organization and formatting of Chapter D. Guidance revision is an evolving process and we welcome suggestions for future revisions of the chapter.

Substantive changes to Volume VII, Section III, Chapter D are as follows:

Changes in Chapter D, Effective July 1, 2008		
Section	Page	Substantive Changes
Stepparent Adoptions	Page 6	Provides for former stepparents to adopt as if they were still married to the birth/adoptive parent.
Review the Petition and Order of Reference	Page 7	Provides Code of Virginia (Code) citation stating that when a petition is filed while a child is under 18 years of age but the child turns 18 years of age before the final decree of adoption is entered, the petition shall not become invalid but have the same effect as if the child was under 18 years of age at the time of finalization provided the court has obtained the consent of the adoptee.
Review the Petition and Order of Reference	Page 7	Provides Code citation allowing for the former stepparent who stood in loco parentis to a child during the marriage to be able to adopt after the marriage has terminated
Consent shall be revocable as follows	Pages 39	Provides that consent shall be revocable by either consenting birth parent for any reasons for up to seven days from execution. The seven-day revocation period can be waived by the consenting parent if the child is 10 days old and the consenting parent acknowledges having independent legal counsel regarding the effect of the waiver. One consenting birth parent waiving their seven-day revocation will not affect the rights of the other consenting birth parent.

Close Relative Adoption	Page 63	Provides that a petition filed while a child is under 18 years of age but the child turns 18 years of age before the final decree of adoption is entered, the petition shall not become invalid but have the same effect as if the child was under 18 years of age at the time of finalization provided the court has obtained the consent of the adoptee.
Approval Period	Page 87	Requires a home study approval period to be 36 months from the date of completion of the study.



Anthony Conyers, Jr.
Commissioner